

STEVEN W. MYHRE
Acting United States Attorney
PATRICK BURNS
Assistant United States Attorney
Nevada State Bar #: 11779
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336/Fax: (702) 388- 6418
John.P.Burns@usdoj.gov

Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES MCMILLAN,

Defendant.

CASE NO: 2:17-cr-00080-APG-CWH

**STIPULATION TO CONTINUE
SENTENCING**

It is hereby stipulated and agreed, by and between Steven W. Myhre, Acting United States Attorney, through Patrick Burns, Assistant United States Attorney, and Brian Pugh, Esq., counsel for Defendant James McMillan, that the sentencing hearing date in the above-captioned matter, previously scheduled for February 1, 2018, at 9:00 p.m., be vacated and continued until a time convenient to the Court, preferably in the latter part of May 2018 or early June 2018.

This Stipulation is entered into for the following reasons:

1. Counsel for Defendant McMillan and the Government require additional time to prepare for sentencing in this matter.
2. Defendant McMillan is in custody and does not oppose this request.
3. The Government does not oppose this request.

1 4. This is the fourth request for a continuance filed in this matter.

2 5. This request is made in good faith and not for purposes of delay.

3 Dated this 4th day of December, 2017

4 STEVEN W. MYHRE
5 Acting United States Attorney

6 /s/
7 By: _____
8 BRIAN PUGH, Esq.,
9 Counsel for Defendant McMillan

6 /s/
7 By: _____
8 PATRICK BURNS
9 Assistant United States Attorney

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FINDINGS OF FACT

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Dated: December 4, 2017

/s/ Patrick Burns
PATRICK BURNS
Assistant United States Attorney
District of Nevada